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FROM charles mirho

DATE 2006-01-27 00:32:30 GMT

RE Application Number: 10/773,764: Attorney
Docket Number: FSP0042: 2nd Attempt to Make
Petition Special

COVER MESSAGE

Attorney Docket Number: FSP0042
Title: ROTATING BARRIER FOR JET MASSAGE
Application Number: 10/773,764
Filing Date: Friday, February 06, 2004
First Named Inventor: Thomsen, Merlin E.

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CERTIFICATE OF FACSIMILE TRANSMISSION

for

Attorney Docket Number: FSP0042
Title: ROTATING BARRIER FOR JET MASSAGE
Application Number: 10/773,764
Filing Date: Friday, February 06, 2004
First Named Inventor: Thomsen, Merlin E.

I hereby certify that the following is being transmitted via facsimile to telephone number 571-273-8300 on Thursday, January 26, 2006.

Signature: /Jennifer J. Sundquist/
Jennifer J. Sundquist

Contents of This Correspondence

1 page of Certificate of facsimile
1 page of Document transmittal
Petition for expedited examination due to applicant's age for Merlin E. Thomsen

TRANSMITTAL LETTER

for

Attorney Docket Number: FSP0042
Title: ROTATING BARRIER FOR JET MESSAGE
Application Number: 10/773,764
Filing Date: Friday, February 06, 2004
First Named Inventor: Thomsen, Merlin E.

To:
Mail Stop Petition
Commissioner for Patents
P.O Box 1450
Alexandria, VA, 22313-1450, USA

Contents of This Correspondence

1 page of Certificate of facsimile
1 page of Document transmittal
Petition for expedited examination due to applicant's age for Merlin E. Thomsen

Submitted by:

Signature: /Jennifer J. Sundquist/
Jennifer J. Sundquist

on Thursday, January 26, 2006.

PETITION TO MAKE SPECIAL

for

Attorney Docket Number: FSP0042
Title: ROTATING BARRIER FOR JET MASSAGE
Application Number: 10/773,764
Filing Date: Friday, February 06, 2004
First Named Inventor: Thomsen, Merlin E.

The Applicant requests an explanation of why the previous Petition to Make Special, mailed on April 4, 2005 and entered into the record soon thereafter, has neither been acknowledged nor acted upon by the Patent Office. In light of this delay, Patent Office is urged to immediately accept this petition and to take up this application for expedited examination out of turn.

This is a second request under the provisions of MPEP 708.02 to make the above-referenced utility patent application special for expedited examination out of turn, due to the applicant's age.

No fee is required for this petition (see 37 CFR 1.102(c)).

An application may be made special upon filing a petition including any evidence showing that the applicant is 65 years of age, or more, such as a birth certificate or applicant's statement. No fee is required with such a petition. See 37 CFR 1.102(c).

Statement of Applicant's Age

The applicant, Merlin E Thomsen, is 65 years of age, or more.

Statement made and submitted by:

Signature /Charles A. Mirho/
Charles A. Mirho
Reg. 41,199
Attorney for Applicant

Date: Thursday, January 26, 2006

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